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Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-eighth session

Summary record of the 2310th meeting*
Held at the Palais Wilson, Geneva, on Friday, 1 June 2018, at 3 p.m.

Chair: Ms. Winter

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* No summary records were issued for the 2298th and 2309th meetings.

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The meeting was called to order at 3.05 p.m.

Tribute to the memory of Wanderlino Nogueira Neto, former member of the Committee

1. *At the invitation of the Chair, the Committee observed a minute of silence.*

Closure of the session

2. **The Chair** said that, as at 1 June 2018, there were 196 States parties to the Convention on the Rights of the Child. As at the same date, 167 States parties had ratified or acceded to the Optional Protocol on the involvement of children in armed conflict, while 174 States parties had ratified or acceded to the Optional Protocol on the sale of children, child prostitution and child pornography. Thirty-nine States parties had ratified or acceded to the Optional Protocol on a communications procedure; in addition, the parliament of Ecuador had voted unanimously to ratify the instrument just that week.

3. During the session, the Committee had considered reports from seven States parties, including five under the Convention, from Angola, Argentina, Lesotho, Montenegro and Norway. It had also considered the reports of Angola and the Russian Federation under the Optional Protocol on the sale of children, child prostitution and child pornography, and the reports of Algeria and Angola under the Optional Protocol on the involvement of children in armed conflict. She took it that the Committee wished to adopt the concluding observations that had been drawn up for those seven States parties.

4. *It was so decided.*

5. The Committee had reviewed the information it had received under the Optional Protocol on a communications procedure. In that context, it had reviewed four communications. In respect of communication No. 7/2016, *Z.Y. and J.Y. v. Denmark*, the Committee had found a violation of the Convention by the State party. It had found communication No. 8/2016, *Y.M. v. Spain*, inadmissible and had decided to discontinue consideration of communications Nos. 35/2017 and 39/2017.

6. The Committee had continued its work on the simplified reporting procedure. It had also continued its work on the revision of general comment No. 10 (2007) on children's rights in juvenile justice and preparations for its next day of general discussion, entitled "Protecting and empowering children as human rights defenders", which would be held in September 2018.

7. The Committee's seventy-ninth session would take place from 17 September to 5 October 2018. The programme of work would be posted on the website of the Office of the United Nations High Commissioner for Human Rights in the coming weeks.

8. **Mr. Gastaud** (Rapporteur) said that Committee members had taken part in a variety of activities related to the promotion and protection of children's rights since the previous session. The Chair had participated in events in Georgia, the United Kingdom, Belarus, Austria and Switzerland on a range of topics, including international obligations relating to children's rights, juvenile justice and corporal punishment. At a conference in Minsk on restorative justice for children, she had given presentations on international best practice and justice for children in Belarus.

9. In March 2018, Ms. Aho Assouma had taken part in several events in Lomé, including the launching of a new hotline to report cases of violence against children and a workshop on infant mortality and the care of child victims of sexual violence and abuse. Ms. Ayoubi Idrissi had given a speech on the Covenant on the Rights of the Child in Islam in the light of international human rights standards at the April session of the Independent Permanent Human Rights Commission of the Organization of Islamic Cooperation (OIC).

10. In March, Mr. Cardona Llorens, together with Mr. Pedernera Reyna, had participated in meetings to ensure the follow-up of the Committee's recommendations to Spain; later that month, at a hearing before the Spanish Congress, he had discussed measures to combat child sexual abuse and, in April, at a Senate hearing, he had discussed the need for a law prohibiting violence against children.

11. Ms. Khazova had participated in a Human Rights Council side event in March on surrogacy and the sale of children, organized by the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material.

12. Also in March, Mr. Kotrane had given a presentation on children's rights at a symposium in Tunis on new legislation on the elimination of violence against women and had spoken at a United Nations Children's Fund (UNICEF) Middle East and North Africa meeting in Amman. He had presented a comparative analysis of the Covenant on the Rights of the Child in Islam and the Convention at the April session of the OIC Independent Permanent Human Rights Commission.

13. Mr. Lumina had given a presentation in absentia on the Committee's role and the challenges for Asian States in implementing the Convention at the tenth Human Rights in Asia Conference, held at the University of Essex, United Kingdom, in March. Later that month, in Addis Ababa, he had participated in a round table during the African regional consultation on the practical implementation of the right to development. At an information session on extraterritoriality in international human rights law organized for United Nations Member States in Geneva in May, he had given a presentation on the Committee's views as formulated in its general comment No. 16 and its concluding observations.

14. In February, Mr. Madi had participated in a high-level panel at United Nations Headquarters in New York to mark the eighteenth anniversary of the adoption of the Optional Protocol on the involvement of children in armed conflict. In March, he had taken part in a panel discussion during the Human Rights Council's annual meeting on the rights of the child on the theme of protecting children's rights in humanitarian situations.

15. In February, Mr. Mezmur had moderated a side event in Geneva on protecting children's rights in the context of humanitarian aid and had spoken at a conference in the United Kingdom on the theme "Towards a twenty-first century treaty body system". In March, he had participated in a workshop at the Pan-African Parliament in South Africa on children with albinism and had given the annual Australian Human Rights Institute lecture at the University of New South Wales on children in the context of international migration. In April, he had participated in a meeting in Vienna of the Advisory Board on the in-depth global study on children deprived of liberty and the event held in Geneva to launch the Committee's two joint general comments with the Committee on Migrant Workers on the human rights of children in the context of international migration. In May, he had taken part in the Continental Conference on Access to Justice for Children in Africa, in Addis Ababa.

16. Ms. Otani had participated in the End Violence Solutions Summit in Sweden in February, with Ms. Sandberg and himself, and in the first international human rights conference hosted by Pakistan later that month. In March, she had given a presentation on the empowerment of girls at a side event during the sixty-second session of the Commission on the Status of Women in New York and had taken part, with Mr. Pedernera Reyna, in a workshop in Geneva co-organized by the children's advisory group to prepare for the Committee's 2018 day of general discussion. In April, she had given a presentation on strengthening efforts to protect children at the conference of the Committee on Teaching About the United Nations, held in New York.

17. In April, Mr. Pedernera Reyna had met with the Executive Director of the Inter-American Children's Institute to discuss possible cooperation between that body and the Committee. In May, he had given a presentation on the situation of children in the Americas in Montevideo.

18. Ms. Skelton had participated in a meeting of experts on the in-depth global study on children deprived of liberty, held in Vienna in April, and a seminar on deprivation of liberty in juvenile justice, held at the University of Leiden the same month. In May, she had taken part in the conference of the Association of Southeast Asian Nations on children in conflict with the law, which had taken place in Bangkok, and a panel discussion at the World Congress on Justice for Children in Paris.

19. Ms. Todorova had given a presentation on determining the age of undocumented children and the care of unaccompanied children at a meeting of the Council of Europe Ad

hoc Committee for the Rights of the Child in Strasbourg in March. In April, she had given two presentations: one on the Committee's work, at the General Assembly of Eurochild in Brussels, and another on budgeting for the realization of children's rights, at the annual conference on children's rights organized by the Swedish Ombudsman. Later that month, she had given a talk on the empowerment of children with disabilities through inclusive education at a meeting in Bulgaria of the Working Party on Human Rights of the Council of the European Union.

20. The members of the Committee had met with a wide range of groups and individuals during the session, including representatives of Child Soldiers International, who had presented the results of a study on the recruitment of child soldiers in the armed forces of several States; Juvenile Justice Advocates International, who had presented the findings of their research on the detention of children; and Terre des Hommes International Federation and FIAN International, who had given a presentation on the right to food. Representatives of Child Rights International Network (CRIN) had briefed the Committee on the results of their research in the field of children's rights, while members of Plan International had described its new strategy to promote the rights of girls, and representatives of UNICEF and the Global Alliance of National Human Rights Institutions (GANHRI) had described their activities in the field of children's rights in national human rights institutions. The Committee had also met with Mr. Manfred Nowak, the coordinator of the in-depth global study on children deprived of liberty.

21. Nine working groups had been active during the session. The working group responsible for revising general comment No. 10 had met, together with the coordinator, Mr. Jean Zermatten, to continue work on the first draft. The working group tasked with organizing the day of general discussion in September, coordinated by Ms. Otani and Mr. Pedernera Reyna, had met twice to pursue its preparations, discussing the programme and the speakers at the event.

22. The working group on the Optional Protocol on a communications procedure, led by Mr. Nelson, had met several times to consider cases before the Committee. The working group tasked with developing a method of enabling children to participate in the next day of general discussion, coordinated by Ms. Sandberg, had concluded its work on the draft proposal for such a method and the evaluation form for children who took part in meetings with the Committee.

23. The working group on the Sustainable Development Goals had continued its consideration of how to incorporate indicators related to the Goals into the Committee's concluding observations. The working group tasked with developing guidelines for the preparation of reports on the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography, led by Ms. Todorova, had met to discuss the provisional composition of the inter-agency working group established to contribute to the revision of the guidelines on the Optional Protocol, as well as new issues, such as surrogacy, for inclusion in the draft.

24. The working group responsible for reviewing the rules of procedure, coordinated by Mr. Madi and Mr. Lumina, had concluded its consideration of the proposed amendments to that document. The working group tasked with developing a model simplified report, under the supervision of Ms. Sandberg, had suspended its work pending the pre-sessional meetings with Croatia and Hungary, the first two States parties to submit to the new procedure. The working group on follow-up of the treaty body strengthening process, coordinated by Mr. Cardona Llorens and Ms. Otani, had discussed the report of the Geneva Academy of International Humanitarian Law and Human Rights entitled *Optimizing the United Nations Treaty Body System* and the 2020 review of the treaty bodies.

25. **The Chair** said she took it that the Committee wished to adopt the report on its seventy-eighth session.

26. *It was so decided.*

27. **The Chair** declared closed the seventy-eighth session of the Committee on the Rights of the Child.

The meeting rose at 3.30 p.m.